IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 28TH NOVEMBER 2007 / 7TH AGRAHAYANA 1929

WP(C).No. 35140 of 2007(G)

PETITIONER:

SULEKHA ABDUL KHADIR,
W/O.LATE. ABDUL KHADIR, AGED 50 YEARS,
VELLORKODATH, KUTTIKATTUKARA, ALUVA, ERNAKULAM.

BY ADV. SRI.DENIZEN KOMATH

RESPONDENTS:

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1. DISTRICT COLLECTOR, ERNAKULAM.

2. TAHSILDAR, PARUR TALUK, NORTH PARUR,
ERNAKULAM.

3. ADDITIONAL TAHSILDAR, TALUK OFFICE,
PARUR.

BY G.P.SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Antony Dominic, J.

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W.P.(C) No. 35140 of 2007

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Dated this the 28th day of November, 2007

JUDGMENT

Petitioner submits that he is facing eviction pursuant to Ext.P9 notice.

2. It is contended that an application for assessment of the land in puramboku is pending and that steps are being taken pursuant to the said application. It is submitted that while so the petitioner was ordered to be evicted by Ext.P9 notice.

3. It is a fact that Ext.P9 order was issued without prior notice to the petitioner.

4. Therefore, I direct that Ext.P9 notice be treated as a show cause notice and it will be open to the petitioner to file his reply in response to Ext.P9 notice to the 3rd respondent within three weeks from today. On receipt of the reply the 3rd respondent shall take into account the contentions raised by the petitioner including the pendency of an application for assignment and thereafter orders shall be passed thereon.

The writ petition is disposed of as above.

Antony Dominic,
Judge.

mn.